

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC., SECURITIES, DERIVATIVE
& "ERISA" LITIGATION

MDL No. 1658 (SRC)

THIS DOCUMENT RELATES TO:
THE CONSOLIDATED SECURITIES ACTION

Case No. 05-CV-01151-SRC-CLW
Case No. 05-CV-02367-SRC-CLW

STIPULATION AND ~~PROPOSED~~ ORDER

WHEREAS, *In re Merck & Co., Inc., Securities, Derivative & "ERISA"* Litigation, MDL No. 1658 (the "MDL") is pending before this Court;

WHEREAS, the consolidated securities action, No. 05-CV-02367 (the "Class Action"), is one of the pending MDL proceedings;

WHEREAS, pursuant to the September 4, 2013, schedule for briefing of dispositive motions (ECF No. 570), dispositive motions in the Class Action will be filed on January 17, 2014;

WHEREAS, counsel for the parties in the Class Action have conferred in good faith and agreed upon an extension of the Court's page limits for the briefing of such motions;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the Class Action, through their undersigned counsel, AND SO ORDERED, as follows:

1. Defendants Merck & Co., Inc. and Alise S. Reicin shall be permitted a single brief in support of any dispositive motion not to exceed sixty (60) pages;
2. Defendant Edward Scolnick shall be permitted a brief in support of any dispositive motion not to exceed thirty (30) pages in total;

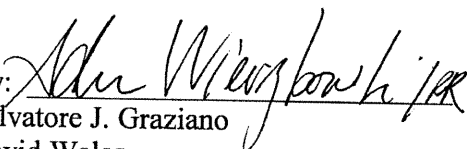
3. Plaintiffs' brief(s) in opposition to Defendants' dispositive motions shall not exceed ninety (90) pages in total, and Plaintiffs may file a single omnibus brief in opposition to all Defendants' motion(s);

4. Defendants' reply brief(s) in support of any dispositive motions shall not exceed forty-five (45) pages in total (whether filed jointly or separately); and

5. In all briefing of dispositive motions, the parties shall use 12-point proportional font (*e.g.*, Times New Roman 12pt) with double-spaced text and single-spaced footnotes. *See* L. Civ. R. 7.2(d).

DATED: December 30, 2013

Respectfully submitted,

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DATED: December 30, 2013

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DATED: December 30, 2013

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SO ORDERED: 1/2/14, ~~2013~~



Cathy L. Waldor
United States Magistrate Judge